

04-15-04

Im 49 RCE# 1600

PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/770,901
Filing Date	01/26/2001
First Named Inventor	FAOUR ET AL.
Group Art Unit	1617
Examiner Name	Shaojia A. Jiang
Attorney Docket Number	PHUS-28

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

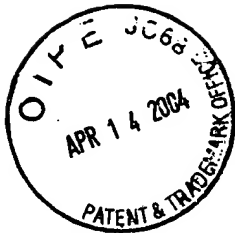
Name (Print/Type)	RICK MATOS	Registration No. (Attorney/Agent)	40.082
Signature		Date	April 13, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:
FAOUR, J. et al.

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Serial No.: 09/770,901
Filed: January 26, 2001

Group Art Unit: 1617
Examiner: Shaojia A. Jiang, Ph.D.

For: Pharmaceutical compositions containing
A COX-II inhibitor and a muscle
relaxant

Mail Stop Non-fee Amendment
Commissioner for Patents
P.O. Box 1450
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AMENDMENT

In response to the Office Communication mailed January 13, 2004, a response to which is due April 13, 2004, Applicants hereby submit the following response.

This amendment is being filed concurrently with a Request for Continued Examination, which is enclosed herewith.

The following is submitted herewith: Amendments to the Claims, Remarks, Supplemental Information Disclosure Statement, and Form 1449, which includes a copy of additional references discussed herein.

Full consideration of the present response and entry into the record is requested.